

## **REMARKS**

Applicant has now had the opportunity to carefully consider the Examiner's comments set forth in the Office Action mailed April 19, 2006. Reconsideration and reexamination of the application is respectfully requested.

### **The Office Action**

Examiner rejected claims 1, 2, 5, 6-8, 18 and 20 under 35 U.S.C. 102(b) as being anticipated by Ozaki et al. (U.S. Patent No. 5,933,478). Examiner also rejected claims 3, 4, 11-15 and 19 under 35 U.S.C. 103(a). Claims 3 and 4 were rejected as being unpatentable over Ozaki in view of Hulan (U.S. Publication No. 2004/0042049). Examiner rejected claims 11 and 19 as being unpatentable over Ozaki in view of Wang (U.S. Patent No. 6,230,024). Examiner also rejected claims 12-14 as being unpatentable over Ozaki in view of Wang and further in view of Sinisi (U.S. Publication No. 2004/0128613). Finally, Examiner rejected claim 15 as being unpatentable over Ozaki in view of Wang and in further view of Sinisi and in further view of Cavil (U.S. Publication No. 2005/0009560).

### **The Subject Invention**

By way of review, the claimed invention relates to a mobile device and method for receiving and rendering an incoming fax message and/or for sending an outgoing fax message. The method includes receiving an incoming fax message from a calling party activating a user cue and notifying a user associated with the mobile device that the incoming fax was received, displaying information about the incoming fax message, and communicating the incoming fax message to an external rendering device via an output port including an infrared frequency interface.

### **The Cited Art**

Examiner cites Ozaki which discloses a data transfer system and hand held terminal device used therefore. Specifically, Ozaki provides a data transfer system in a hand held unit device where the callee is informed of the reception of the data from its hand held communication device. The callee may then immediately check the contents of the received data on site. If desired, the callee may instruct, from the hand held

terminal device, a communication server to transfer image data to another hand held termination device, or another facsimile. This image data may be stored in a storage medium.

Examiner also cited Hulan. Hulan is a method of faxing a multi-page job via a facsimile device. Hulan discloses that a computer interface may be used in order to implement a variety of appropriate technologies, including universal serial bus (USB), IEEE.1394, parallel port, serial port, Blue Tooth, Wi-Fi, and IrDA. Hulan, however, does not disclose including infrared as a possible output port means in which to communicate an incoming fax message.

**Claims 10 and 14 are no longer indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention**

Regarding claims 10 and 14, Examiner will appreciate the above-referenced claims have been amended in order to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. It is hereby requested that the rejection under 35 U.S.C. 112, second paragraph, be withdrawn.

**Independent Claims 1 and 16 are patentably distinguishable over Ozaki**

The Examiner rejected claims 1, 2, 6-8, 16, 18 and 20 as being anticipated by Ozaki. The Examiner will appreciate that independent claims 1 and 16 have been amended in order to further clarify the invention. As such, the claims now include the language of an output port including an infrared frequency interface. Because Ozaki does not teach the inclusion of an infrared frequency interface included in an output port, the claims as amended are currently in condition for allowance. Furthermore, the other cited references do not cure the above-stated deficiency. In addition, claims 5-8 and claims 17-20 depend, either upon claim 1 or 16. As a result, it is hereby submitted that those claims, likewise, are in condition for allowance.

**Amended Claim 11 is non-obvious over Ozaki in view of Wang**

Claim 11 was rejected under 35 U.S.C. 103 as being unpatentable over Ozaki in view of Wang. Examiner will appreciate that claim 11 has been amended.

In order to further clarify the invention, claim 11 now includes under step C that after the recipient answers the call, the call is maintained while sending the outgoing fax message to the recipient. Neither Ozaki nor Wang suggest that the call should be maintained while sending the outgoing fax. Therefore, it is hereby submitted that claim 11 is now in condition for allowance. Furthermore, claims 11-15 are either directly or indirectly therefrom. Likewise, it is hereby submitted that claims 12-15 are also in condition for allowance.

### CONCLUSION

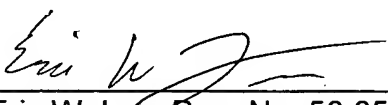
For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1 and 5-20) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to telephone Eric W. Lee, at (216) 861-5582.

Respectfully submitted,

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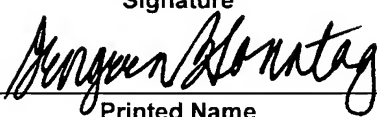
September 19, 2006  
Date

  
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